UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

BLACKWATER LODGE AND TRAINING CENTER, INC., a Delaware corporation dba BLACKWATER WORLDWIDE,

Plaintiff,

vs.

KELLY BROUGHTON, in his capacity as Director of the Development Services Department of the City of San Diego; THE DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN DIEGO, an agency of the City of San Diego; AFSANEH AHMADI, in her capacity as the Chief Building Official for the City of San Diego; THE CITY OF SAN DIEGO, a municipal entity; and DOES 1-20, inclusive,

Defendants.

CASE NO. 08-CV-0926 H (WMC)

PRELIMINARY INJUNCTION

The Court, after holding a hearing on its order to show cause regarding the issuance of a preliminary injunction and considering all arguments and submissions filed in opposition thereto or in support thereof, and finding that Plaintiff has established its entitlement under the law to the relief requested, orders as follows:

1. The Court issues a preliminary injunction keeping in place the terms of the TRO that the Court granted on June 4, 2008, see Doc. No. 17, for the reasons set forth in the Court's June 17, 2008 Order Granting Preliminary Injunction, which the Court incorporates into this

Order as the findings in support of the preliminary injunction.

2. Defendants Kelly Broughton (in his capacity as Director of the Development Services Department of the City of San Diego), Afsaneh Ahmadi (in her capacity as Chief Building Official of the City of San Diego), the Development Services Department of the City of San Diego and the City of San Diego, their officers, agents, servants, employees and attorneys, and all those in active concert or participation with them, are hereby enjoined from (1) enforcing the May 19, 2008 letter from Defendant Broughton purportedly refusing to issue a Certificate of Occupancy for the property located at 7685 Siempre Viva Road, Otay Mesa, (2) refusing to allow Plaintiff Blackwater Lodge and Training Center, Inc. to occupy and use the Otay Mesa facility consistent with the permits the City already has granted, (3) revoking Plaintiff's certificate(s) of occupancy, and/or (4) subjecting Plaintiff's ministerial permit applications to any additional "discretionary" review, absent further order of the Court. Additionally, Defendants shall promptly and properly process any currently pending ministerial permits for the Otay Mesa property.

3. Plaintiff shall post a bond or other security in the amount of $10,000.

IT IS SO ORDERED.

DATED: June 17, 2008

MARILYN L. HUFF, District Judge
UNITED STATES DISTRICT COURT